



**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

OSCAR FELIPE MALDONADO PATLAN,

Plaintiff,

Civil Action No. 1:09-CV-926

V.

APACHE CORP., ROWAN COMPANIES INC., M&M INDUSTRIAL SERVICES, INC., and BLUEWATER INDUSTRIAL TECHNOLOGIES, INC..

Defendants.

**MEMORANDUM ORDER ADOPTING REPORT AND RECOMMENDATION
AND REMANDING CASE**

The Court referred this matter to United States Magistrate Judge Keith F. Giblin at Beaumont, Texas, for hearing and submission of a recommended disposition on case-dispositive motions pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules for the United States District Court for the Eastern District of Texas. The plaintiff's motion to remand is pending before the Court.

On May 11, 2010, Judge Giblin issued his *Report and Recommendation on Motion to Remand* [Clerk's doc. #28]. Judge Giblin recommended that the Court grant the motion to remand and remand the case to the 136th Judicial District Court, Jefferson County, Texas.

To date, no party has filed objections to the magistrate judge's proposed findings and recommendation. Accordingly, having reviewed the record and Judge Giblin's report, the Court agrees with the magistrate judge's findings and recommended disposition. The Court **ORDERS** that the *Report and Recommendation on Motion to Remand* [Clerk's doc. #28] is **ADOPTED**. Judge Giblin's findings and conclusions of law are incorporated in support of this order.

The Court further **ORDERS** that the plaintiff's *Motion to Remand* [Clerk's doc. #8] is **GRANTED**.

The Court finally **ORDERS** that this civil action is **REMANDED** to the 136th Judicial District Court of Jefferson County, Texas.

This civil action is **CLOSED** and all pending motions not addressed herein are denied as **MOOT**.

So **ORDERED** and **SIGNED** this 3 day of **June, 2010**.



Ron Clark
Ron Clark, United States District Judge